



## JOINT MEETING OF THE MILPITAS CITY COUNCIL AND HOUSING AUTHORITY

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122  
Para sa Tagalog, tumawag sa 408-586-3051  
Para español, llame 408-586-3232

City Council meeting will be held via TELECONFERENCE zoom webinar only (no physical meeting space) Submit any Public Forum or agenda item comments in writing submitted online, to be read aloud.

**Meeting shall be livestreamed - Go to:**

Facebook: <https://www.facebook.com/CityofMilpitas/>  
YouTube: <https://www.ci.milpitas.ca.gov/youtube>  
Web Streaming: <https://www.ci.milpitas.ca.gov/webstreaming>

Virtual public comments may be submitted on a form from the City website:  
<http://www.ci.milpitas.ca.gov/publiccomment>

For Public Hearing Items No. 10 and 11 only, voicemail message comments may be submitted to telephone number 408-586-3010 until 3:00 PM on June 2.

**AGENDA**  
**TUESDAY, JUNE 2, 2020**  
**MILPITAS, CA**  
**6:00 PM (CLOSED SESSION)**  
**7:00 PM (PUBLIC BUSINESS)**

**CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk**

**ADJOURN TO CLOSED SESSION** (6:00 PM)

**(a) CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to California Government Code §54957.6  
Agency designated representative: Rick Bolanos of Liebert Cassidy Whitmore  
Employee Group: Milpitas Employees Association

**(b) CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to California Government Code §54956.8  
Potential Property: Assessor Parcel Numbers 028-34-001 through 028-34-094  
Agency negotiator: Steven McHarris  
Under negotiation: Price and terms of payment

**CLOSED SESSION ANNOUNCEMENT:** Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

**PLEDGE OF ALLEGIANCE** (7:00 PM)

**INVOCATION**

**PRESENTATION**

- Proclaim June 1 - 7, 2020 as *Milpitas High School Senior Recognition Week*

**PUBLIC FORUM** (7:05 – 7:15 PM)

Those interested may address the Mayor and City Council on any subject not on tonight's agenda. People can submit comments in writing via the form available online, may list their name and city of residence for the Clerk's record. Remarks read aloud by the City Clerk may be limited to three minutes, or less. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

Virtual public forum comments may be submitted on a form from the City website:

<http://www.ci.milpitas.ca.gov/publiccomment>

**ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

Members of the City Council may make brief announcements or suggest future agenda items at this time. For future agenda items, the City Council shall not debate the topic or engage in discussion, but shall simply state a "yes" or "no" as to whether to direct the City Manager to place the item on a future meeting agenda. If a majority of the City Council agrees to place an item on a future meeting agenda, the City Manager shall place the item on a subsequent agenda for City Council discussion.

**ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

**APPROVAL OF AGENDA**

**CONSENT CALENDAR** (7:15 – 7:20 PM)

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the public or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to address any item on the consent calendar may request City Council (in writing) to remove it from the consent calendar.

**C1. Receive City Council Calendar of Meetings for June 2020 (Staff Contact: Mary Lavelle, 408-586-3001)**

**C2. Approve City Council Meeting Minutes of the May 12, 15, and 19, 2020 Special and Regular Meetings (Staff Contact: Mary Lavelle, 408-586-3001)**

Recommendation: Approve draft meeting minutes of the Special City Council meetings held on May 12 and 15, 2020 and the Joint Regular City Council and Housing Authority meeting held on May 19, 2020.

**C3. Adopt Ordinance No. 305 Establishing Fees for Ambulance and Emergency Medical Services (Staff Contact: Geoffrey Maloon, 408-586-2818)**

Recommendation: Waive the second reading and adopt Ordinance No.305 Establishing Fees for Ambulance and Emergency Medical Services.

**C4. Adopt a Resolution Authorizing the Purchase of a RapidView IBAK PANORAMO 150 4K 360-Degree Camera System for the Public Works Department Sanitary Sewer System from Jack**

**Doheny Companies Through a Sourcewell Cooperative Contract in the Amount of \$147,777.04  
(Staff Contacts: Tony Ndah, 408-586-2602 and Chris Schroeder, 408-586-3161)**

Recommendation: Adopt a resolution authorizing the purchase of a RapidView IBAK PANORAMO 150 4K 360-Degree Camera System for the Public Works Department Sanitary Sewer System from Jack Doheny Companies through a Sourcewell cooperative contract in the amount of \$147,777.04.

- C5. Adopt a Resolution Approving the Purchase from Axon Enterprise, Inc. of 10 Body Worn Cameras, Conducted Electrical Weapons, Accessories and a Supplemental Subscription to Evidence.com, Cloud-Based Storage, for a Total Two-Year Cost of \$53,965.45, Approving Standardization of Axon Enterprise, Inc. Equipment as the Standard Brand for the City of Milpitas, and Authorizing the City Manager to Execute Amendment No. 2 to the Agreement with Axon Enterprise, Inc. (Staff Contacts: Jared Hernandez, 408-586-2406 and Chris Schroeder, 408-586-3161)**

Recommendation: Adopt a Resolution approving the purchase from Axon Enterprise, Inc. of 10 Body Worn Cameras, Conducted Electrical Weapons, Accessories and a Supplemental Subscription to Evidence.com cloud-based storage, for a total two-year cost of \$53,965.45, approving standardization of Axon Enterprise, Inc. equipment as the standard brand for the City of Milpitas, and authorizing the City Manager to execute Amendment No. 2 to the Agreement with Axon Enterprise, Inc.

- C6. Authorize the City Manager to Execute a Five-Year Agreement between the County of Santa Clara and the City of Milpitas for Emergency Medical Dispatch (EMD) Services in an Amount Not to Exceed \$328,736.37, subject to annual appropriations (Staff Contacts: John Clum, 408-586-2415 and Chris Schroeder, 408-586-3161)**

Recommendation: Authorize the City Manager to execute a five-year agreement between the County of Santa Clara and the City of Milpitas for Emergency Medical Dispatch (EMD) services in an amount not to exceed \$328,736.37, subject to annual appropriations.

- C7. Authorize the City Manager to Execute an Agreement with Invoice Cloud, Inc. for Electronic Bill Presentment and Payment of Utility and Miscellaneous Invoices for a Five-Year Period Not to Exceed \$207,109.59 (Staff Contact: Walter C. Rossmann, 408-586-3111)**

Recommendation: Authorize the City Manager to execute an Agreement with Invoice Cloud for e-bill presentment and e-payment of utility and miscellaneous invoices for a five-year period not to exceed \$207,109.59, subject to the annual appropriation of funds.

- C8. Approve Accounts Receivable Write-offs for the Fiscal Year Ending June 30, 2020 (Staff Contact: Walter Rossmann, 408-586-3111)**

Recommendation: Approve Accounts Receivable write-offs for the Fiscal Year ending June 30, 2020.

- C9. Approve and Authorize the City Manager to Waive the Preclusion Against Seeking Re-Employment with the City Contained in the Settlement Agreement with Carmen Valdez (Staff Contact: Steve McHarris, 408-586-3059)**

Recommendation: Approve and authorize the City Manager to waive the preclusion against seeking re-employment with the City contained in the Settlement Agreement with Carmen Valdez.

**PUBLIC HEARINGS** (7:20 – 9:00 PM)

Virtual public comments may be submitted online: <http://www.ci.milpitas.ca.gov/publiccomment>  
For Public Hearing Items No. 10 and 11 only, voicemail message comments may be submitted to telephone number 408-586-3010 until 3:00 PM on June 2.

10. **Open the Public Hearing and Adopt Resolutions to Approve the Fiscal Year 2020-21 Operating Budget and the 2020-2025 Capital Improvement Program for the City of Milpitas and the Milpitas Housing Authority, Approve the Fiscal Year 2020-21 Gann Appropriations Limit, Authorize Various Financial Actions, Approving Various Financial Policies and Budget Guidelines, Amend the Classification Plan for Alignment with the FY 2020-21 Budget and the Minimum Wage Increase, Amend the Fringe Benefits for Unrepresented and Limited Services Employees, Amend the FY 2020-21 Master Fee Schedule (Staff Contact: Walter Rossmann, 408-586-3111)**

Recommendations:

(1) Open the public hearing and move to close the hearing following any speakers.

(2) Adopt the following Resolutions:

- a) Joint Resolution of the City Council and Milpitas Housing Authority to approve the Fiscal Year 2020-21 Operating Budget and the 2020-2025 Capital Improvement Program for the City of Milpitas and the Milpitas Housing Authority, approve the Appropriations Limit, and authorize various financial actions by the City Manager, including Approval of Contracts and Payments over \$100,000.
- b) Amend the Classification Plan to adjust the number of positions on the Authorized Position List, amend specific budgeted, allocated positions, and establish classification title changes.
- c) Amend the Classification Plan to adjust the hourly rate and ranges for classifications due to a minimum wage increase pursuant to the minimum wage ordinance.
- d) Amend the List of Fringe Benefits and Eligibility for such Benefits for Limited Term Employees.
- e) Amend the Classification Plan to authorize fringe benefits for Unrepresented Management Employees.
- f) Amend the Classification Plan to adjust the Salary Schedules for all IAFF, Mid-Management Confidential, ProTech, Miscellaneous Unrepresented and Fire Unrepresented Classifications consistent with previous Council Action.
- g) Amend the Master Fee Schedule for FY 2020-21 for revised user and regulatory fees for various City Services.

11. **Conduct a Public Hearing and Introduce Ordinance No. 38.840 Amending Sections of Chapter 10, Title XI, of the Milpitas Municipal Code Relating to Accessory Dwelling Units (Staff Contact: Rozalynne Thompson, 408-586-3278)**

Recommendations:

- a) Conduct a public hearing and move to close the hearing following comments.
- b) City Attorney shall read aloud title of Ordinance No. 38.840.
- c) Move to waive the first reading beyond the title and introduce Ordinance No. 38.840 amending Sections of Chapter 10, Title XI of the Milpitas Municipal Code relating to Accessory Dwelling Units and determine that the Municipal Code (zoning) amendment is statutorily exempt from California Environmental Quality Act pursuant to CEQA Guidelines Section 15282(h).

**COMMUNITY DEVELOPMENT** (9:00 – 10:15 PM)

12. **Receive Report and Presentation on Application Process and Timeline for Development Projects (Staff Contact: Sharon Goei, 408-586-3260)**

Recommendation: Receive report and presentation on application process and timeline for development projects.

13. **Housing Authority: Approve and Authorize the Executive Director to execute a term extension to the predevelopment loan agreement entered into by Resources for Community Development and the City of Milpitas Housing Authority for 355 Sango Court (Staff Contact: Sharon Goei, 408-586-3260)**

Recommendation: Approve and authorize the Executive Director to execute a term extension to the predevelopment loan agreement entered into by Resources for Community Development and the City of Milpitas Housing Authority for 355 Sango Court.

14. **Approve and Authorize the City Manager to Execute Amendment No. 1 to the Agreement with De Novo Planning Group for the General Plan Update Extending the Term of Service Date from February 28, 2019 to December 31, 2021 (Staff Contacts: Jessica Garner, 408-586-3284 and Chris Schroeder, 408-586-3161)**

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to the agreement with De Novo Planning Group for the General Plan update to extend the term of service date from February 28, 2019 to December 31, 2021.

#### **REPORTS OF MAYOR & COUNCILMEMBERS - from assigned Commissions, Committees and Agencies**

(10:15 – 11:00 PM)

15. **Receive and Direct Staff on Scheduling Agenda Items Requested by City Councilmembers (Contact: Mayor Tran, 408-586-3029)**

Recommendation: Review list of items presented (list in agenda packet) that have been requested by Mayor or City Councilmembers on a form, at a Council meeting, or through the City Manager. Direct items to Rules or other City Council Subcommittee, to be placed onto a specific meeting date, or specify alternate direction to staff. No substantive discussion about any specific item shall occur and the City Council shall hold all debate about the item until the item is scheduled as a full agenda item.

16. **Approve Milpitas Small Business Loan Program and Enterprise Foundation and Kiva as proposed Fiscal Agent (Contacts: Subcommittee Chair Carmen Montano, 408-586-3024 and Councilmember Karina Dominguez, 408-586-3031)**

Recommendation: Approve a \$200,000 Milpitas Small Business Loan Program and authorize the City Manager, or his designee, to execute a contract with Enterprise Foundation and Kiva to act as fiscal agent of the small business loan program.

#### **NEXT AGENDA PREVIEW**

17. **Receive Preview List of Anticipated Items for the next Regular City Council Meeting Scheduled on June 16, 2020 (Staff Contact: Mary Lavelle, 408-586-3001)**

#### **ADJOURNMENT**

### **MILPITAS CITY COUNCIL CODE OF CONDUCT**

- Be respectful and courteous (words, tone, and body language).
- Model civility.
- Avoid surprises.
- Praise publicly and criticize privately.
- Focus on the issue, not the person.
- Refrain from using electronic devices while on the Council dais.
- Share information with all Councilmembers in advance of Council meetings.
- Disclose conflicts of interest and affiliations related to agenda items.
- Separate governing from campaigning.
- The Council speaks with one voice after making policy on issues.
- Respect the line between policy and administration.
- Council will hold one another accountable to comply with this Code of Conduct.

### **KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035  
e-mail: [cdiaz@ci.milpitas.ca.gov](mailto:cdiaz@ci.milpitas.ca.gov) / Phone: 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on City website. City Council agendas and related materials can be viewed online: [www.ci.milpitas.ca.gov/government/council/agenda\\_minutes.asp](http://www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp) (select meeting date)

### **APPLY TO SERVE ON A CITY COMMISSION**

Commission application forms are available online at [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) or at Milpitas City Hall. Contact the City Clerk's office at 408-586-3003 for more information.

*If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to [mlavelle@ci.milpitas.ca.gov](mailto:mlavelle@ci.milpitas.ca.gov) prior to the meeting. You may request a larger font agenda or arrange for mobility assistance.*